

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

James Huggard,

Plaintiff(s),

vs.

United Performance Metals, Inc.,

Defendant(s).

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Case Number: 1:10cv63

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on December 28, 2011 (Doc. 63), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired January 17, 2012, hereby ADOPTS said Report and Recommendation.

Plaintiff's motion for substitution (Doc. 54) is **GRANTED** and the Estate of James Huggard, c/o Maggie Hess, Executrix, is substituted as plaintiff in this litigation.

IT IS SO ORDERED.

\_\_\_\_\_  
s/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court